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Attorneys for Defendant/Counterclaimant ICON RENO
PROPERTY OWNER POOL 3 NEVADA, LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MFR HOLDCO, LLC, a foreign limited
liability company,

Plaintiff,

vs.

ICON RENO PROPERTY OWNER POOL 3
NEVADA, LLC, a foreign limited liability
Company,

Defendants.

ICON RENO PROPERTY OWNER POOL 3
NEVADA, LLC, a foreign limited liability
Company,

Counterclaimant.

vs.

MFR HOLDCO, LLC.; ACH FOAM
TECHNOLOGIES, INC.; FRANK
KIESECKER, JR., individually; RICHARD L.
WALLER, individually; MICHAEL S.
HUEMPFNER, individually,

Counterdefendants.

Case No. 3:18-cv-00034-MMD-WGC

STIPULATION FOR EXTENSION OF TIME TO RESPOND TO
MOTION TO DISMISS COUNTERCLAIM
(FOURTH REQUEST)

WHEREAS, Counterdefendants Kiesecker, Waller and Huempfnr filed a Motion to
Dismiss Counterclaim (ECF 52) on February 26, 2019 (“the Motion”);

STIPULATION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS COUNTERCLAIM
(FOURTH REQUEST)

WHEREAS, Counterclaimant's opposition to the Motion is currently due on or before April 30, 2019;

WHEREAS, the parties participated in a mediation on March 4, 2019, and reached a tentative settlement of the action;

WHEREAS, the parties are still working to finalize that tentative settlement and appear to have hopefully resolved the last remaining issue, with the latest settlement agreement changes now awaiting final approval from a few of the interested parties;

WHEREAS, the settlement will obviate the need for Counterclaimant to file an opposition to the Motion and save judicial resources; and

WHEREAS, the parties agree that the Counterclaimant should not be required to expend time and money opposing the Motion if the parties can finish finalizing their settlement, such that an extension of time for Counterclaimant to file said opposition, while the parties work to finalize their settlement, makes good sense,

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, that Counterclaimant Icon Reno Property Owner Pool 3 Nevada, LLC shall have to and including May 17, 2019, to file its opposition to Plaintiff's Motion to Dismiss Counterclaim in this action.

IT IS SO STIPULATED:

DATED: April 29, 2019

DATED: April 29, 2019.

HOLLAND & HART LLP

ROBERTSON, JOHNSON
MILLER & WILLIAMSON

By: /s/ Matthew B. Hippler
Matthew B. Hippler, Esq.
Frank Z. LaForge, Esq.
*Attorneys for Plaintiff/
Counterdefendants*

By: /s/ Kirk C. Johnson
Kirk C. Johnson, Esq.
*Attorneys for Defendant/
Counterclaimant*

ORDER

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE

DATED: April 29, 2019

1 **CERTIFICATE OF SERVICE**

2 Pursuant to FRCP 5(b) and Local Rule 5-4, I hereby certify that I am an employee of
3 Robertson, Johnson, Miller & Williamson, over the age of eighteen, and not a party to the within
4 action. I further certify that on the 29th day of April, 2019, I electronically filed this
5 **STIPULATION FOR EXTENSION OF TIME TO RESPOND TO MOTION TO DISMISS**
6 **COUNTERCLAIM (FOURTH REQUEST)** and thus, pursuant to LR 5-4, caused same to be
7 served by electronic mail on the following Filing Users:

8 Matthew B. Hippler, Esq. (SBN 7015)
9 Frank Z. LaForge, Esq. (SBN 12246)
10 Holland & Hart LLP
11 5441 Kietzke Lane, Second Floor
12 Reno, NV 89511
13 mhippler@hollandhart.com
14 lzlaforge@hollandhart.com

15 */s/ Teresa W. Stovak*
16 _____
17 An Employee of Robertson, Johnson,
18 Miller & Williamson
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